

**OPTOMETRY EXAMINING BOARD  
MEETING MINUTES  
MARCH 28, 2013**

**PRESENT:** Ann Meier Carli, Richard Foss, Gregory Foster, Brian Hammes, Mark Jenkins (via go-to meeting), Kathi Leach

**STAFF:** Dan Williams, Executive Director; David Carlson, Communications Specialist; other DSPS staff.

**CALL TO ORDER**

Gregory Foster, Chair, called the meeting to order at 9:01 a.m. A quorum of six (6) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** Ann Meier Carli moved, seconded by Kathi Leach, to adopt the agenda as amended. Motion carried unanimously.

**PUBLIC HEARING ON OPT 5.02**

Gregory Foster called the public hearing to order at 9:06 a.m. and gave introductory remarks related to the purpose of the hearing and then invited public comment. David T. Bobka, Wisconsin Optometric Association, provided testimony. Gregory Foster adjourned the public hearing at 9:12 a.m.

**APPROVAL OF MINUTES OF NOVEMBER 15, 2012**

**MOTION:** Kathi Leach moved, seconded by Ann Meier Carli, to approve the minutes of November 15, 2012. Motion carried unanimously.

**ELECTION OF OFFICERS FOR 2013**

**CHAIR**

**NOMINATION:** Kathi Leach nominated Gregory Foster for the office of Board Chair. Dan Williams called three times for other nominations for the office of Board Chair.

**VICE CHAIR**

**NOMINATION:** Kathi Leach nominated Ann Meier Carli for the office of Board Vice Chair. Dan Williams called three times for other nominations for the office of Board Vice Chair.

**SECRETARY**

**NOMINATION:** Ann Meier Carli nominated Kathi Leach for the office of Board Secretary. Dan Williams called three times for other nominations for the office of Board Secretary.

2013 ELECTION RESULTS	
Chair	Gregory Foster
Vice Chair	Ann Meier Carli
Secretary	Kathi Leach

2013 LIAISON APPOINTMENTS	
Statute and Rule Committee	Mark Jenkins, Ann Meier Carli and Gregory Foster
CE Review	Kathi Leach, Richard Foss and Brian Hammes
Screening Panel	Kathi Leach, Richard Foss and Mark Jenkins
Credentialing	Ann Meier Carli
Monitoring	Gregory Foster

**MOTION:** Ann Meier Carli moved, seconded by Kathi Leach, to approve the election of the slate of officers as nominated and acknowledge the Chair's Liaison appointments. Motion carried unanimously.

- MOTION:** Mark Jenkins moved, seconded by Kathi Leach, to delegate authority to the Credentialing Liaison(s) to address all issues related to credentialing matters. Motion carried unanimously.
- MOTION:** Mark Jenkins moved, seconded by Ann Meier Carli, to adopt the Roles and Authorities Delegated to the Monitoring Liaison document. Motion carried unanimously.
- MOTION:** Ann Meier Carli moved, seconded by Kathi Leach that the Board delegates authority to the Chair or designated Board member to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair or Board member has the ability to delegate this signature authority to the Executive Director for purposes of facilitating the completion of assignments during or between meetings. The Chair or Board member delegates the authority to the Executive Director to sign the name of the Chair or Board member on documents as necessary. Motion carried unanimously.
- MOTION:** Mark Jenkins moved, seconded by Ann Meier Carli, that, in order to facilitate the completion of assignments between meetings, the Board delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Board, to appoint liaisons to the Department where knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

#### **LEGISLATION/ADMINISTRATIVE RULE MATTERS**

##### **Review and Consideration of Proposed Rulemaking Order Amending OPT 5.02 Relating to Lens Prescriptions**

- MOTION:** Richard Foss moved, seconded by Kathi Leach, to accept all recommended changes from the Clearinghouse. Motion carried unanimously.
- MOTION:** Ann Meier Carli moved, seconded by Kathi Leach, to authorize Mark Jenkins to review and approve the Legislative Report and rule draft for submission to the Governor and Legislature. Motion carried unanimously.

## **EO 61**

**MOTION:** Brian Hammes moved, seconded by Kathi Leach, to divide the review of Opt. Chapters among Board members as follows:  
Ch 1-3, Richard Foss and Mark Jenkins  
Ch 4-6, Ann Meier Carli and Kathi Leach  
Ch 7-8, Brian Hammes and Gregory Foster  
Review comments will be submitted to the Executive Director for review at the next meeting. Motion carried unanimously.

### **REVIEW OF POSITION STATEMENTS**

**MOTION:** Kathi Leach moved, seconded by Brian Hammes, to keep Position Statement #1 as published. Motion carried unanimously.

**MOTION:** Kathi Leach moved, seconded by Ann Meier Carli, to keep Position Statement #2 as published. Motion carried unanimously.

**MOTION:** Kathi Leach moved, seconded by Ann Meier Carli, to revise Position Statement #3 to read as follows:

### **3) MAY AN INDIVIDUAL, WHO IS NOT A LICENSED OPTOMETRIST, ASSIST IN THE PRACTICE OF OPTOMETRY?**

Yes, but in a limited capacity. The scope of practice of an unlicensed assistant to an optometrist is outlined in Chs. Opt 1.03 and Opt 5.12, Wis. Admin Code. Except as restricted by Opt 5.12 (1), an optometrist may delegate any act that is within the scope of practice of optometry to a delegate who has the proper education and training to perform the task. All unlicensed staff must be supervised, as defined in Ch Opt 1.02(6), meaning the optometrist must be available to coordinate, direct, and inspect the practice of the unlicensed person on a regular basis, as determined by the supervising optometrist.

Motion carried unanimously.

**MOTION:** Kathi Leach moved, seconded by Brian Hammes, to revise Position Statement #4 as follows:

**4) DOES AN OPTOMETRIST NEED A SEPARATE CREDENTIAL, IN ADDITION TO A LICENSE TO PRACTICE OPTOMETRY, IN ORDER TO USE DIAGNOSTIC PHARMACEUTICAL AGENTS?**

An Optometrist may use diagnostic pharmaceutical agents if the Optometrist complies with the requirements set forth in Wis. Stats. 449.17. For those licensed as an Optometrist on or after August 1, 2006, see Wis. Stats. 449.17 (1). For Optometrists licensed prior to August 1, 2006, see Wis. Stats. 449.17 (1m).

Motion carried unanimously.

**ARBO MEETING DISCUSSION AND CONSIDERATION**

**MOTION:** Kathi Leach moved, seconded by Richard Foss, to delegate Gregory Foster to attend the 2013 ARBO Annual meeting in San Diego June 23-25, 2013 on behalf of the Optometry Board. Motion carried unanimously.

**CONSIDERATION OF AUTO-APPROVAL OF CE COURSES**

**MOTION:** Mark Jenkins moved, seconded by Kathi Leach, to clarify that all Continuing Education providers must comply with the application process set forth in Opt 8.03 (1) unless excepted by the provisions of Opt 8.03 (5). Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Brian Hammes moved, seconded by Kathi Leach, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:07 a.m.